A DIALOGUE BETWEEN TWO FRIENDS.

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LICENSED,

April 22. 1689. *James Fraser.*

A

DIALOGUE

BETWEEN

Two Friends,

Occasioned by the late

REVOLUTION

OF

AFFAIRS,

And the

OATH of ALLEGIANCE.

By *W. K.* A. M.

Rom. 14. 22. *Happy is he that condemneth not himself in what he alloweth.*

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BIBLIOTHECA BODLEIANA

A DIALOGUE BETWEEN TWO FRIENDS, A JACOBITE and a WILLIAMITE.

Jac. METhinks we live in an Age of Wonders, *Africa* like, every day producing *aliquid novi.* But few Months ſince Suſpenſion, Degradation, Impriſonment, was too little puniſhment for refuſal to read the King's (as 'twas ſtil'd) Gracious Declaration for Liberty of Conſcience. And now I am as much Diſaffected to the Proteſtant Cauſe, for making ſome Objections againſt the Oath of Allegiance.

Will. 'Tis true, the wonderful Revolution of a few days is ſo unfathomably Stupendious, that an ordinary Capacity may eaſily be induc'd to believe, that Miracles are not yet ceaſed. Such ſignal Methods compaſſing ſuch an unthought of Reſcue, loudly declare they are more than commmon. And your obſtinate refuſal of a Deliverance written in ſuch legible Characters, your voluntary depriving your ſelf of a ſhare in ſo great and unparallel'd a Bleſſing, is a ſecond wonder to me incomprehenſible.

Jac. 'Tis not (I proteſt) from an affected ſingularity, or a too high conceitedneſs of my own Opinion, that, like *Athanaſius*, I oppoſe the whole World by my ſelf. The only reaſon is, that I may *keep a Conſcience void of offence both toward God and Man.* I acknowledge the Prince of *Orange* has

has been the great Inſtrument of our Deliverance from Popery and Arbitrary Power, and more highly deſerves of the Nation than can be expreſſed; yet I cannot forget thoſe Tyes and Obligations that fix and rivet our Allegiance to our Dread Sovereign *James* the Second.

Will. What are theſe ſtrong and binding Obligations?

Jac. In number ten thouſand, in nature ſuperlatively Obligatory.

Will. Deſcend to Particulars and nominate one.

Jac. The Dictates of Nature bind me to Natural Allegiance, being by Birth a Natural Subject to the King of Great *Britain*; my Duty is to pay Homage and Obedience either Active or Paſſive to all his Commands.

Will. I readily grant, that as you are a Subject to the King of *Great Britain*, his Majeſty hath an undoubted Right to challenge your Obedience, but the Ground and Reaſon of this Right does not proceed as an Emanation from Nature, as I ſhall immediately evince, when I have gotten a right ſence of your Notion of Paſſive Obedience.

Jac. By Paſſive Obedience I underſtand a ſubmiſſive and patient ſuffering the Puniſhment due to the obſtinate refuſal of Actively obeying thoſe Commands and Injunctions of my Superiors, that are either inconſiſtent with, or oppoſite to the Laws and Precepts of the Divine Creator.

Will. Patience under Puniſhment, when Legally inflicted upon us, and there is no lawful way to eſcape it, is a Chriſtian Duty, as is clear and obvious, both from the Doctrine and Example of our Saviour, who deſpiſed the ſhame and endured the Croſs.

But if Paſſive Obedience (as you interpret it) be Sence, Logicians are much miſtaken in aſſigning ten Predicaments; ſince (in your account) *Actio* and *Paſſio* are one. Obedience (in all Hiſtories, whether Sacred or Prophane) has no relation to ſuffering, but always ſignifies the *doing* things commanded. Thus *Exod.* 15. 26. *If thou wilt hearken to the voice of the Lord, and do that is right in his ſight. Exod.* 24. 7. After *Moſes* had read the Book of the Law, the People promiſed their Obedience to *do* all that was there injoyned them. And 1 *Sam.* 28. 19. King *Saul* for not *doing* the Command of the Lord, was ſtigmatized with the infamus Character of

Dif-

Diſobedience, notwithſtanding his ſuffering the puniſhment of his Tranſgreſſion. *Acts* 5. 29. the Apoſtles affirm they ought to obey (that is *Do*) the Will of God rather than Man. And all thoſe Expreſs and Poſitive Commands for Wives, Children and Servants, to obey their Husbands, Parents and Maſters, only import, 'tis their Duty to pleaſe them well, by *doing* thoſe things enjoin'd by them.

In oppoſition to this; Paſſive naturally implies, ſuffering the Penalty for not doing; ſo that ſhould we allow ſuch a contradiction in Speech, as Paſſive Obedience, 'twould naturally follow, that thoſe who have ſuffered the puniſhment of the Law, are juſtified by the Law; for if Suffering render Men obedient, the Penalty being endured, they are cleanſed from their Guilt, and become Immaculate. And by virtue of this Argument, Rebels, Thieves, Murtherers, or the worſt of Villians are (after they have receiv'd the Reward of their Tranſgreſſions) as honeſt Men, as good Neighbours, and as Loyal Subjects as your ſelf.

I know 'tis objected that Rebels, Thieves, &c. are actual Tranſgreſſors of the Laws both Humane and Divine, and ſo fall as Criminals; but the others ſuffer becauſe they refuſe to violate or tranſgreſs thoſe Laws. But to this 'tis replyed, that according to your own Poſition they are Criminals alike; for the Doctrine of Paſſive Obedience (eſpecially as by you defined) doth ſufficiently evidence (notwithſtanding what you talk of Laws) that the Will of the Supreme Magiſtrate is the chiefeſt Rule we are to walk by; for whatever Command brings with it Authority to require Obedience, that very Authority doth plainly impreſs upon it the Character of a Law. Now Criminals, upon the account of Omiſſion, are equally guilty with thoſe that have render'd themſelves ſo by Sins of Commiſſion; it being equally the ſame as to matter of Crime, not to do thoſe things Commanded, and to act or do thoſe things Prohibited. So that by parity of Reaſon, if the one be juſtified ſo will the other; for *facinus quos inquinat, æquat.*

Jac. I had no deſign to enter into a Controverſie about Paſſive Obedience; I aſſerted that Nature enjoined me to pay Allegiance to the Supreme Magiſtrate, and my Reaſon was, becauſe I was by Birth a Natural Subject.

Will.

Will. That Nature obliges you to Obedience, is a great Miſtake; for ſhe conſtitutes no Subordination among Men; as we are produced by her, we are all Equals; ſhe ordains neither King or Peaſant, Lord or Slave: Her Actions are only internal, ſuch as reſpect not thoſe outward Adjuncts, or external Qualifications. The Laws ſhe deſigns for our Guide, are her own Precepts; (*viz.*) thoſe Innate Notions of Good and Evil, thoſe Common Sentiments of Vertue and Vice that are proper to all men, as they are Rational Creatures. The Governour ſhe appoints over us, is every man's own Reaſon; the Judge, our particular Conſciences. 'Tis indeed by the Force or Energy of Nature we are made Men, but we are born free. This is evident from that abſolute Authority every particular Man hath over himſelf, (*viz.*) an independent Power in diſpoſing of his own perſon: Thus by Compact or Bargain, any Man (I ſpeak of Subjects) may become a Covenant-Servant, an Apprentice, or a Slave, without Nature's being concern'd in the Contract. For though a King's Eldeſt Son be a Prince by Birth, and the firſt legitimate Male Offspring of an Earl, a Lord the Day of his Nativity; yet thoſe are Birthright Priviledges accruing to them, not from Nature, but the Laws of the Nation.

Thus Royal Blood and Deſcent from Ancient Progenitors, are only imputative Qualities, and have ſo little Relation to Nature, that they are only *Præmia Virtutis*, Rewards for Heroick and Generous Actions, that the perſons concern'd, or their Forefathers were eminent for.

Jac. Theſe Commands that are Moral, and perpetually to oblige, are eſteemed as Natural; but the Duty of Obedience is Moral, and perpetually to oblige (if the Fifth Commandment be ſo,) which makes me account it Natural.

Will. As we are Subjects, the Duty of Obedience is a perpetual Obligation, and, after a manner, eſſential to us; But our Allegiance has not its Foundation in Nature, or her Operations, but in the Relation we bear to a Soveraign: And more than this the Fifth Commandment doth not evince.

This Precept is Moral, and perpetually to oblige; but the Rational part of it is grounded not in Nature, but in Gratitude: For as *Ariſtotle* obſerves, Man is a Sociable Animal, and

and there is nothing more deſtructive to Society, than Ingratitude and Unthankfulneſs. And ſince Children have not only their very Being, but their Well-being alſo, from their Parents, no Obligation can be greater or more obligatory to the foreſaid Duties.

So that were our Filial Obedience founded in Nature (as you fondly imagine), the Obligation to that Duty would not be half ſo ſtrong and valid. Beſides, Natural Duties have reſpect to the whole *Species*; and by this Argument, the Bonds and Obligations to Obedience are General, and every man that is a Parent, may challenge as ſtrict a Duty of Obedience from us, as our immediate Parents that begat us; and the Reaſon of this, is, becauſe Nature is equally concern'd for the whole *Species*, as for an *Individium*.

But the Doctrine contrary to this, is ſo plain and evident from the general practice of the World, that it needs no proof. For though we are by Nature equally allied to all, being firſt in the Loins of *Adam*, afterwards in *Noah*; yet this Relation is never term'd more than *Common Humanity*. And how firm or laſting ſoever we eſteem thoſe Ties and Obligations you mention (which is really nothing but Friendſhip), the Second or Third Age commonly expunges them, if diſobliging Carriage, diſtance of Place, or want of Converſe, effect it not in much leſs time.

That Paternal Love, and Filial Affection, is not founded in Nature, ſeems plain and evident from thoſe different Degrees of Love Men generally bear to the Legitimate, and Spurious Iſſue; and that 'tis cheriſhed by Converſe, and made firm and ſolid by proceſs of Time, is more than probable, from the affectionate Nurſe, whoſe Exceſs of Love to the tender Babe, does often tranſcend the affectionate Mothers. Yet 'tis clearly manifeſt, Man has a Natural Appetite or Deſire to ſurvive in his Poſterity, as irrational Creatures have of preſerving their *Species*: But this proves nothing againſt the Argument, becauſe the Iſſue of the latter (in riper years) are not by Nature obliged to the Duties of Gratitude and Obedience.

That the Fifth Commandment enjoyns us Obedience to our Superiors, is beyond all controverſie true; and the Reaſon is, becauſe in the beginning of Government, Soveraignty was

part of the Paternal Power; but (to ſpeak in our common Language) if the Duty of Obedience in a Natural Son to a Natural Father, be not a Natural Duty, much leſs can this Argument prove Natural Allegiance due to our Civil Parents.

Jac. The Parliament Conven'd in the Twenty Fourth Year of King *Henry* the Eighth's Reign, ſtiles *England* an Empire, govern'd by a Soveraign Head, to which there is a Body Politick joyn'd, compoſed of all ſorts and degrees of People, who are bound, next under God, to render unto their King Natural Allegiance.

Will. Natural Allegiance in that Act of Parliament, is only a Rhetorical Flouriſh, ſpoken after the largeſt acceptation of that Word; not that Allegiance flows from Nature, but becauſe 'tis a Duty ſo proper, intrinſical and Eſſential to a Subject, *quâ talis*. For mens very incorporating themſelves into a Civil Society (without the Obligation of Formal Oaths,) doth ſufficiently evidence a tacit acknowledgment of Allegiance to the *Caput Communitatis*, becauſe without it 'tis impoſſible to defend and preſerve the Body Politick.

Jac. This Diſcourſe (I confeſs) is ſomewhat Rational; but I can't ſuddenly digeſt a thing ſo Novel.

Will. What you term *Novelty* proceeds from the vulgar Expreſſions of Men, and want of a more ſerious and weighty Inſpection into the Doctrine. And this will appear more Rational, if we conſult the Specimen of Government in general.

The great and fundamental Law of Nature is *Self-Preſervation*; 'tis the *Magna Charta* of all Conſtitutions, and the very End and Deſign of Government it ſelf; 'tis a Principle ſo deeply radicated in Nature, that 'tis engraven upon every man's heart.

Had indeed our Firſt Parents maintain'd the Original Beauty and Brightneſs of their Creation, and preſerved Nature in her ſtate of Rectitude, Juſtice had been our Director, Innocence our Guide: But by that Fall of theirs, the Nature of Man was ſo depraved and vitiated, his Paſſions ſo tranſporting, his Deſire ſo covetous, his Revenge ſo implacable, that *Meum* and *Tuum* were meaſured only by Strength and Power; the Longeſt Sword was the beſt Law, a ſecurer Title than *Preſcription* it ſelf.

Thus

Thus the more powerful preyed upon, and devoured the weaker; ſo that Nature deſtroyed her own works: And the beſt courſe to countermand thoſe Hoſtile Proceedings, and preſerve this grand Principle of Nature, was mens moulding themſelves into Tribes, aſſociating into Colonies.

Thus, when a Company of Men, (whether many or few it matters not; for, *Majus & Minus non variant Speciem*) are unanimouſly incorporated into one Society, for the ſecurer Maintainance of Peace, Correction of Vice, Reformation of Manners, and the more equal Adminiſtration of Juſtice; Laws were enacted, Conſtitutions made, and Statutes provided to redreſs all private Grievances among themſelves; and to protect the Society from the open Hoſtility of Publick Invaders.

And ſince neither Plaintiff or Defendant was fit to be Judge of his own Plea, nor the *Mobile Vulgus* eaſily induced to a joynt Method, a Unanimous Conſent in oppoſing the Common Enemy; a ſingle perſon (if Monarchical Government) or ſeveral (in other Conſtitutions) of ſuch Vertue. Prudence and Fortitude, as the whole Society thought fit to confide in, was elected, as an Impartial Arbitrator in all Caſes, whether private or publick.

And to him, or them, was committed the ſole Executive Power of theſe Laws; in all Differences the Definitive Sentence was (according to Law) to be expected from his, or their mouth. And this Supream Authority being both Judge and Protector of the whole Corporation, to advance the Grandeur of ſuch Authority, and compleatly to capacitate him, or them, for the Execution of thoſe Eſtabliſhed Laws: This Power was held in high Eſtimation by the whole Society, and by the ſetled Conſtitutions of the Government; a proportionable Tribute from the Subject was by Law allowed as a Revenue to ſupport that Royal Office.

And for the firmer uniting this Supream Head and his Subjects, the former obliges himſelf by the Sacred Ties and Obligations of an Oath, at his Inauguration, to govern his People according to the Rule of the Eſtabliſhed Laws; and the latter as ſolemnly pays Homage, and ſwears Obedience. So that Allegiance in all Subjects, whatſoever Government they live under, (and eſpecially in our own Conſtitution) is a

Duty ſo perpetual and indiſpenſible, that a violation of it is an high Offence againſt God, as well as againſt his Vicegerent.

Jac. This is my very Senſe of the Duty of Allegiance; this the Reaſon I refuſed to take that New Oath of Allegiance, becauſe 'tis a plain Violation of the Old, which you your ſelf acknowledge perpetually to oblige.

Will. The Duty of Obedience is an inſeparable Accident to every Subject; and you may as well diveſt him of his Being, as his Subjection; for this Duty, like the Royal Authority, never dies, but immediately deſcends from one to another. But what you talk of is a perfect Frenſie of Loyalty, makes Allegiance an infinite Duty, and exalts a King to the Honour of a God; if all his Commands muſt be obeyed, we tacitely acknowledge he can command nothing that is evil; for an illegal Mandate muſt not be obeyed, nor an evil Action committed, though imperiouſly enjoyn'd by the greateſt of Men.

In all Governments, whether Monarchy, Ariſtocracy, or Democracy, the Subjects Duty of Obedience is to be meaſured by the expreſs and poſitive Laws of that Government they are Members of, and not to be regulated by a fancied *Chimæra*, of obeying no man knows what, it being now viſibly apparent, that Men may be as ſuperſtitiouſly Loyal as Religious; and the firſt prove as fatal and deſtructive to the Peace and Happineſs of the Nation, as the laſt to the Zeal and Fervour of True Religion; when in good earneſt, the utmoſt limits of Allegiance, is but entirely to obſerve all the lawful Commands and Injunctions of our Superiors.

Jac. Has the Supream Magiſtrate no Authority to command our Obedience? And is the Extent and Latitude of the Duty of Allegiance limited by declaritory and expreſs Laws?

Will. 'Tis a moſt certain Truth, eſpecially in our own Conſtitution, where the Government is a Monarchy Royal, in which the Subjects have as undoubted a Right to their Religion, Liberty and Property, as the Supream Magiſtrate has to the Royal Prerogative.

For

For as the Inferior Laws limit the Peoples Rights, reſtrain them from invading the Royal Priviledges, and from offering violence one to another; ſo the chief deſign of *Magna Charta*, is to reduce the Regal to a Legal Power. The Preſcriptions and Statutes of this Nation are the impartial Arbitrators of Government and Obedience.

Jac. At preſent a plauſible Plea may ariſe from hence; but in the beginning 'twas not ſo; For *Magna Charta* was never heard of till King *Henry* the Third, the Eighth King from the Conqueſt. And where were thoſe Liberties then you ſo much boaſt of now?

Will. Right! *Magna Charta* (in that particular form of words 'tis now expreſs'd) was not in being till the time you mention; but our Liberties and Properties were as much then the undoubted Birthright and Inheritances of the Subjects, as they are now; for *Magna Charta* (as the Learn'd and Renown'd Lord *Cook* obſerves) is for the moſt part Declaritory, informs us what our Rights and Priviledges are, inſtates us into what was lawfully and antecedently our own Right, but confers no new Immunities upon us.

Jac. This is ſtrange indeed, when the very firſt Chapter begins, *We have granted to God, and we have given and granted to the Freemen of this Realm.* How could King *Henry* give and grant thoſe things were none of his?

Will. The Subjects Liberties aſſerted in this Great Charter, are not to be look'd upon as pure Emanations from the Royal Favour, or new Bounties, to which the People had neither Right or Claim, but rather a reſtoring thoſe Priviledges which by the Uſurpation and Encroachments of former Kings, were forcibly with-held from the Subjects. And the truth of this is evident from the Charter it ſelf; which in the words of Conveyance frequently mentions *ſua jura*, and *ſuas Libertates*, *Their Rights and their Liberties*; which ſhews the People had a former Title to thoſe Immunities, that by this Charter they were again put in poſſeſſion of.

Jac. This is a pleaſant Story indeed: Are the Subjects Liberties more Ancient than the Conqueſt? Has not a Conqueror power to impoſe what Laws he pleaſes upon thoſe Vaſſels and Slaves he has conquered?

Will.

Will. However pleaſant it be, 'tis clear and obvious, the Liberties and Properties of *Engliſhmen* are of greater Antiquity than King *William*, call'd *the Conqueror*, as appears from the Laws that aſſert them, ſome as Ancient as the *Heptarchian* Government, granted by *Ethelberd*, *Ina*, and *Offa*; others Cotemporary with the Monarchical Regency, given and conferr'd upon the Subjects by pious King *Alfred*. Neither were theſe Laws aboliſhed by the *Norman* Duke, but were of ſuch Force and Vigour, as to ſurvive (what you call the Conqueſt,) and ſet Bounds and Limits to that pretended Conqueror.

'Tis not denied, but an abſolute Conqueror may propoſe and enact what Laws he pleaſes, to regulate and govern the Conquered by: but this was far from King *William*'s Caſe. For though that great Victory over *Harold*, with ſuch a mighty ſlaughter of the *Engliſh*, gave him great encouragement, yet the Crown was obtain'd by Bargain and Compact, as is plainly evident from thoſe Grants made to *Stigand*, Archbiſhop of *Canterbury*, and *Egleſine*, Abbot of St. *Auguſtine*'s, in behalf of the *Kentiſhmen*, and alſo from the *Coronation Oath* it ſelf; where the King ſwears to maintain and obſerve the Laws and Cuſtoms of the Nation.

'Tis true he made little eſteem of violating this Sacred Obligation; and his Succeſſors vehemently encroach'd upon the Liberty and Property of the People; but what power forceably ſnatch'd from them did not invalidate the Subjects Right. Neither had King *William* (notwithſtanding all his Pretenſions to a Conqueſt) power to diſpoſe of the Lands or Inheritances of thoſe Natives he received to Protection: This is manifeſt from that known Caſe of *Sherborn* the *Saxon*, who had a Caſtle and Lands in *Norfolk*, which the pretended Conqueror gave to one *Warren* a *Norman*, and *Sherborn* dying, the Heir claiming the ſame by Deſcent, according to the Law, it was before the Conqueror adjudged for the Heir, and the Gift made void.

Jac. The Coronation Oath is nothing to purpoſe, to evince a Paction or an Agreement upon this Account; for that was made to God, not to Man; and if that Oath prove a Compact, 'tis between God and the King, not between the King and the People.

Will.

Will. 'Tis neither my deſign, nor pertinent to the buſineſs in hand, to begin a Diſcourſe of the difference between Vows and Oaths. Suppoſe the Oath were made to God, (which in propriety of Speech is a Vow) how does that weaken or invalidate the force of the Argument? It matters not, whether it be a Vow to God, or an Oath to Man, ſo long as the matter of it is ſo expreſs and declarative of the King's Duty, and the Peoples Rights and Priviledges.

Jac. The taking the Coronation Oath was the Conquerors Condeſcention; a compliance with the Cuſtoms uſual at the Inauguration of former Kings, and has no tendency to a Compact or Bargain with the People.

Will. You may ſtile it what you pleaſe: but 'twas ſuch a Condeſcention or Compliance, without which (unleſs he had firſt won it by an abſolute Conqueſt) he had never poſſeſſed the Crown of *England.* And the Ancient Rites of the Coronation it ſelf had ſome footſteps of this Contract, *viz.* The Preſenting the King, on the day of his Coronation, to the People upon every corner of the Scaffold, and asking them if they would have him for their King? I do not ſuppoſe the People had power, to refuſe or reject the Perſon thus exhibited, that would have render'd the Kingdom Elective; but the Cuſtom being an ancient Ceremony, and commonly uſed till *Edward* the Sixth's Coronation, is in my Judgment a more than plauſible Argument of a Contract between the Supreme Power and the Subjects.

Jac. How can that be? the King of *England* is Inveſted with all the Rights and Prerogatives of Royalty before he is Crown'd.

Will. Right, The King is before his Coronation as abſolute a Monarch as after: This the Caſe of *Watſon* and *Clark* (who Conſpir'd againſt King *James* before his Coronation, and were condemn'd of High Treaſon) puts beyond all Controverſie, and the Reaſon of this is clear; the Pactions and Agreement between King and People, is an inſeperable Concomitant to the Crown, devolves with it to the next Succeſſor, and is the tacite Condition and Terms upon which he accepts the Government.

So that 'tis no more neceſſary or expedient for every Heir, as to the *Eſſe* of his being King, to Declare the Conditions immediately

immediately upon his coming to the Crown, than 'twas requiſite for every ſucceſſive Generation, when the Court of Wards was in force, to declare he held his Lands by Knights Service; the ancient Tenure of the Eſtate ſufficiently evinc'd the former, and the very Deſcent of the Crown to the next of Blood, brings with it a tacite implication of all the Immunities and Liberties of the Subjects, in as full and ample a manner, as if they had been repeated a thouſand times over.

Jac. The Court of Wards is as ſignal a Badge of a Conqueſt, as undoubted a Character of Vaſſalage and Slavery, as any we can poſſibly inſtance in.

Will. The Court of Wards has ſo little relation to Slavery, that the [h] Law terms it only a Service, and all Servants are not Slaves, though all Slaves may be called Servants in the moſt ſtrict ſenſe; 'tis only a Token of Subjection, and comparatively an Enſign of Freedom; a laſting Monument of Stipulation and Agreement between the Royal Authority and the People. When at ſuch an eaſie rate, as attending the Wars in extraordinary and emergent Occaſions, a Man has an intire Propriety in ſo large an Eſtate, ſo ample an Inheritance. And the very Antiquity of theſe Courts doth ſufficiently evidence the nulity of a Conqueſt: Theſe being in force in the Reign of King *Alfred*, and ſurviv'd your Conqueſt many Generations.

[h] *Regale Servitium quia ſpecialiter pertinet ad Dominum Regem.* Britton. fol. 187.

Jac. A Paction between the King and the People is a ſtrange Aſſertion; and to ſay that the People can make a King is very little leſs than a contradiction.

Will. Pray explain your ſelf, and ſhew for what Reaſons.

Jac. Becauſe the Royal Authority has a power lodged in it, which the Subjects have neither Right or Pretence to confer. For Example, The power of Life and Death are in the hand of the Supreme Magiſtrate; which 'tis impoſſible he could receive from the People, becauſe no Man has power of his own Life; much leſs has he Right or Authority to put it into another Mans diſpoſal.

Will. Here we muſt diſtinguiſh between Abſolute and Conditional: No Man has an abſolute Power over his own Life, ſo as to lay violent hands upon himſelf, or oblige another to ſhed his Blood, yet every Man hath hath a conditional Power

Power upon this account; that is, he is capable (as he is a Member of the Body Politick) to Covenant and agree with the Head, and the other Members; that conditionally he violate thoſe Laws, the Tranſgreſſion of which, the whole Society have by Statute Law Ordain'd to be puniſhed with Death, he will ſubmit to the Puniſhment. So that the King has not an Abſolute Power of Life and Death; the latter is only a Penalty conditionally we break ſuch Eſtabliſhed Laws: And this Power is rather in the Laws than the Supreme Magiſtrate; for the King himſelf (without manifeſt Violence and Injuſtice) has no power to put any Man to death contrary to Law, or upon a particular Humor.

Jac. Suppoſe we grant ſomewhat of Agreement or Paction, between the Conqueror and the *Engliſh* Nobility; what Advantage is that to us? Did the People indeed, and in reality, Elect the King as their Governour; when once the Act was done, and Allegiance ſworn, the People have no more Reaſon or Pretence to revoke or annul that Election, than a Wife (who has choſen a Husband, promiſed him her Obedience, join'd her ſelf to him in Marriage) has to put away her Husband, and to ſay that the People may Depoſe their King if there be a Bargain or Contract between them, is to affirm the Wife may Divorce the Husband becauſe ſhe choſe him.

Will. If all this be granted, you here contend for; I cannot imagine, how it would weaken or prejudice our preſent Cauſe.

The Wife after Marriage may not put away her Husband, that lives with her as an Husband: Nay, though a very ill Husband, turn Nonthirft, ſpend his Eſtate, abuſe her Perſon, prove unnatural to her Children; notwithſtanding all this, ſhe is obliged to an entire Obedience.

But if her Husband prove Tyrannically cruel; ſo far proſecute the wicked Counſels and Deſigns of her Enemies, as to give ſignal and evident Demonſtrations that he intends her Ruine, Deſtruction and Death: If he be in himſelf inſufficient, (as in the Caſe of the Counteſs of *Eſſex* by her Huſband *Devereux*) the Laws allow relief to ſuch a Diſtreſſed Wife. And can we ſuppoſe there is greater care taken for a particular Member, than for the whole Body? In ſhort, though the Wife cannot put away the Husband becauſe ſhe

choſe him; yet the Cruelties, Injuſtice, Violence and Irregularities of the Husband may be ſuch, as may give juſt cauſe of Divorcement.

Jac. But were it not Grand Impiety, by violence to ſeize upon the Eſtate or Goods of a private Man, and diſpoſe of it to others? What Sacriledge then muſt it be to Invade the Dignities Royal, and diſpoſe of the Crown and Scepter?

Will. Cauſeleſly to make forcible entry upon any Mans Goods or Eſtate, and by violence to keep Poſſeſſion, is plain and open Robbery; yet a Man may be Guilty of ſuch Illegal Actions, ſuch indiſcret and undue Behaviour, as may cauſe a ſeizure of both his Moveables and Poſſeſſions without any manifeſt Wrong or Injury to the once Right owner. And the Laws allow a particular Man for Juſt and Reaſonable Cauſes to Diſinherit his eldeſt Son, and Entail the Eſtate upon others of his Poſterity, only for the preſervation of a private Family; and I would fain hear a ſolid Argument, why ſuch an Advantageous Priviledge (in extream Neceſſity) ſhould be denyed the Publick?

Jac. The Reaſon is clear and obvious, the Rights and Properties of Subjects, or private Men are confirm'd by the Laws of the Land, made theirs by Agreement: But the Prerogatives of the Crown, are a Divine Right, the Imperial Diadem ſetled upon the Royal Head by the Almighties own appointment.

Will. If this were but proved the buſineſs were done: But alas! this Doctrine is both groundleſs and abſurd; for whatever Monarch holds his Scepter *jure Divino*, muſt either be inveſted by an immediate Divine Deſignation (*viz.*) a ſpecial and extraordinary Commiſſion from Divine Providence; as that of *Saul*, *David*, *Solomon*, *Jehu*; or elſe Succeſſively by a Legitimate Deſcent from Perſons thus Deſigned; as that of *Reboboam*, *Aſa*, *Jehoſophat*; to the former of theſe, the Monarchs of *England* have no Pretence; and if the latter inveſt them with it, 'tis derived either from the Ancient *Saxons*, or from the *Norman* Line: That the firſt had no ſuch Divine deſignation is clear from the Story of *Hengiſt* and *Horſa*.

And that no ſuch pretence can be made from King *William*, ſtiled the Conqueror, will be more than evident from his Ambitious Deſigns; his illegal Attempts; his hoſtile and unnatural

unnatural Proceedings; and his Barbarous in Actions wading through Torrents of Blood; riding in Triumph over heaps of ſlaughtered Innocents to aſcend a Throne and graſp at a Scepter, to which he had no more right than the Great *Mogul*. And if * the *Norman* Duke firſt entred by force of Arms, and after a Battel compounded for the Crown, 'tis vain and ridiculous to urge Preſcription to make a Divine Right; becauſe what in the beginning was not Divine Proceſs of time can never impreſs with a Divine Character.

* *Quod initio vitioſum eſt; non poteſt tractu temporis convaleſcere.*

Jac. But *Solomon* affirms, Eccleſ. 8. 14. *Where the word of a King is, there is power, and who may ſay unto him, what doſt thou?*

Will. Right, the words of Kings are Powerful, and no Man ought to diſpute their Commands: But the Reaſon of it is grounded upon that Confidence we put in the Supreme Authority; that his Mandates will be always Lawful.

But this Place of Scripture has a peculiar relation to the Kings of *Iſrael*; a People whom God choſe to enter into Covenant with, and over whom he Exerciſed ſuch a ſpecial Providence, that 'twas uſual with him to ſet up one, and pull down another, and cauſe to Govern whom he pleaſed.

Thus when he had granted an extraordinary Commiſſion to his Prophets, and they had Anointed the deſigned Perſon King over that People, his Word was powerful, and to be obeyed, becauſe ſo immediately conſtituted God's Vicegerent. But this Command is not adapted to our Circumſtances: neither does it add to our Duty of Allegiance; and we may as rationally evince the *Levitical* Laws obligatory in *England*, as evidence the *Britiſh* Monarchy, *Jure Divino*, from this place of Scripture.

Beſides, if this Doctrine were applicable to the Monarchs we live under, 'twould be deſtructive to our Eſtabliſhed Government, and repugnant to the Apoſtolick Doctrine. If a King deceaſe whilſt his Heir is an Infant, by this Argument the whole Realm muſt be ſubject to his fond and childiſh Commands; and when he is arrived to thoſe years in which Paſſions are more vigorous, and youthful Luſts ſtrongly importune to aſcend the Stage, and act their Scene even in the violent proſecutions of thoſe lewd Debauches; a Grave and Reverend Biſhop dares not adviſe him to a Reformation of

Manners, to live ſoberly and become religious, for fear he tranſgreſs his Precept of ſaying unto him, what doeſt thou? But what's infinitely worſe may happen: the Heir to the Crown may be born a Fool, or Ideot, or by accident be a Lunatick, or labour under a grievous Diſeaſe of Madneſs; and yet no man muſt gain-ſay or contradict him, if this Argument be valid?

Jac. A Child incapacitated to govern by tender years, ought to be put under Protectors and Tutors during his Childhood; but in his Adult State, his mature Age may challenge this Authority. A Fool or Ideot can never be brought ſenſible what Government is; and a Lunatick or Mad-man is more incapable of Government than either. So that not only Reaſon, but Nature's Inſtinct of Self-preſervation, commands us to fence theſe from the Crown and Scepter.

Will. An Infant is as much a Monarch in his Minority, as in his mature and riper Years; and if he ought to be under Tutors and Governours, they muſt have power to ſay unto him, what doeſt thou? Or we may reaſonably infer he will be very ill Tutor'd. A Fool or an Ideot (though in all his Actions innocent) muſt be obliterated from the Line of Succeſſion; and a Lunatick or Mad-man (who never acted againſt, or endeavour'd the deſtruction of Church or State) muſt loſe his Right, becauſe incapacitated by his Diſeaſe.

Why then by parity of Reaſon may not a Papiſt be excluded, who hath already ſo vehemently ſhook the Foundations of Government, both Eccleſiaſtical and Civil, and for the future ſtands bound by all the Sacred Obligations of Oaths and Vows, obliged under the penalty of forfeiting his Diadem and Scepter in this World, and his precious and immortal Soul in that to come; to extirpate our Religion, ſubvert our Laws, and reduce us to the Subjection and Vaſſallage of the *Roman* Yoak.

Jac. This Argument (I confeſs) does a little ſtagger my Judgment; but when I remember thoſe other expreſs and poſitive places of Scripture, ſo pertinent to this preſent Controverſie, I am radicated as firm as before, *Prov.* 8. 15. *By me Kings reign, and Princes decree judgment.* 1 Sam. 26. 9. *Who can ſtretch forth his hand againſt the Lord's anointed, and be guilt-*

guiltless? What can be more clear or obvious? what more positively evinced, than Monarchy, *Jure Divino*, from these Texts?

Will. 'Tis true, the places of Scripture do sufficiently evidence the Divine Right of the Kings of *Israel*, but they prove nothing for the Kings of *England*. And indeed, not only these, but all other places of Sacred Writ, in the *Old Testament*, that evidence Regal Authority to be founded by Divine Providence, have such a proper Aspect, such a peculiar Relation to the *Jewish* Government, that they can be expounded of no other Constitution, unless there be the publick Footsteps of an extraordinary Divine Designation, as in all Changes was apparently visible in that Government, where commonly the Almighty chose, the Prophets consecrated, and the People obeyed.

But in opposition to this, the Government of *England* is a Paction and Contract between the Supream Authority and the People; the former to govern according to those Rules the Laws prescribe, and the latter quietly (without Resistance) to submit to be governed by the Laws Established, and to support with their Lives and Fortunes the Regal Power.

And this Agreement with the Subjects, does not lessen or depress the Authority of the Supream Magistrate, but rather advanceth it; for 'tis the Honour of a King, not to be capable of doing wrong; and 'tis the Safety and Happiness of the People, to be under such a Magistrate as only commands lawful things, which capacitates the Subject to obey with safety, *sub clipeo legis nemo decipitur.*

Whilst the Execution of illegal Commands, is dangerous to the People; that being an high Offence to the Publick, and by Consequence no small Transgression against the Supream Magistrate. For the King being a principal part of the Body Politick, must necessarily have a principal share in that grand Affront. And this is the Reason of that Maxim, *The King can do no wrong*; all his lawful Injunctions being Just and Righteous, and his illegal Mandates must not be obeyed. So that would Court Earwigs leave off to flatter, and be exact and impartially honest in their Duty both to King and People, the first would be renown'd, great and glorious; and the

the ſecond, being free from oppreſſion and violence, would be loving, loyal, and dutiful Subjects.

Jac. But the Doctrine of the Goſpel is ſo poſitive and expreſs in commanding Obedience to Superiors, that if all other Arguments were away, this is ſufficient to turn the ſcale againſt all that can be ſaid to the contrary.

Will. You miſtake the very End and Deſign of my Intentions: I purpoſe not to annihilate, or deſtroy our Obedience, but to reduce it to its due proportion aſſign'd it, both by God and Man; cauſe it calmly to run down within the Banks of its own Channel. By which we ſhall be fitly capacitated to follow our Saviour's Advice; (*viz.*) *to render to Cæſar the things that are Cæſar's, and unto God the things that are God's.*

The Evangelical Precepts confine us to no particular Platform of Civil Government; in general, it provides for the preſervation of Honeſty, Juſtice, and Peace; frequently inculcates our Duty of Obedience, preſſing it by many cogent and rational Arguments; and exhorts us patiently to bear all Calamities or Oppreſſures, we have no lawful way to avoid: but it does not oblige us to be Vaſſals and Slaves to an Arbitrary Power.

This is evident from pregnant Examples in the *New Teſtament*, eſpecially from the Epiſtles of the Two Famous and Renowned Apoſtles, *Peter* and *Paul*; and particularly the laſt part of the 12*th* Chapter to the *Romans*, and the beginning of the 13*th*, were penn'd wholly upon this account.

Jac. The Scriptures you mention, are ſo Diametrically oppoſite to the Doctrine you teach, that 'tis impoſſible to find a more cogent Argument, or poſitive Command for Abſolute Obedience than thoſe are. The Texts are largely inſiſted upon by our Divines; and from thence they rationally evince an unlimited Duty of Obedience.

Will. For the more clear Explication, and better underſtanding of the particular Scripture above mention'd, we muſt enquire, what was the End and Deſign of that Epiſtle, and eſpecially this place formerly quoted. And the Reaſons of that, together with the knowledg of the Perſons for whom 'twas written, their Eſtate, Condition and

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Circumſtance, will give us a very great light towards a Right Apprehenſion of it.

The grand End and Deſign of this Epiſtle, was not to plant the Goſpel at *Rome*, or preſcribe all the Doctrines requiſite to the Foundation of Chriſtianity; but rather to refute thoſe falſe Doctrines that Hereticks had ſuper-induced, and to condemn and reform thoſe wicked and revengeful Practices, that the Chriſtians (upon ſome miſtakes) were highly guilty of.

The Perſons for whoſe ſake and inſtruction this Epiſtle was written, were chiefly *Jews* proſelyted to the Chriſtian Religion; but yet ſtill ſtrongly tinctur'd with their former Leaven, *John* 8. 33. that they were *Abraham's* Seed; and by that Fœderal Pact between God and him, were ſo immediately under the Government of Divine Providence, that no *Heathen* Potentate could have Authority or Lordſhip over them, further than urgent Neceſſity or meer Compulſion forced them.

And being at that time ſubjugated by force of Arms to the Yoak of the *Roman* Empire, and by reaſon of Traffick, Commerce, and other occaſions, neceſſitated to inhabit at *Rome*, where the very Exerciſe of their Religion was an high Tranſgreſſion of the Imperial Laws, which, together with their refuſal to pay the accuſtomed Tribute, and to render ſome reſpect of Honour the Laws conferr'd upon the *Heathens*; the Imperial Officers frequently dealt very ſeverely with thoſe Chriſtian Proſelytes; and the Chriſtians (upon the aforeſaid Principle) uſed all opportunities as ſeverely to revenge themſelves; which rendered the Chriſtian Religion very odious at *Rome*, and was a great block to the propagation of the Goſpel.

So that the Chriſtians reſiſting thoſe imperial poſitive Laws, and their oppoſition to the Execution of them, was the only Reaſon, the alone Cauſe that moved the Apoſtle to write this Portion of Scripture to them; as appears from *Chap.* 12. *v.* 17. *Recompence no man evil for evil:* v. 19. *Dearly beloved, avenge not your ſelves, but rather give place to wrath*; That is, rather ſuffer the puniſhment of the Law, and the Injuries that thoſe who inflict it, offer to you, than reſiſt. Becauſe (as he aſſures them, *Chap.* 13.) Obedience to the Eſtabliſhed Laws

Laws is a Chriſtian Duty, though it be to the Laws of a *Heathen* Prince.

And when theſe Laws are oppoſite or repugnant to the Divine Precepts, quietly to ſubmit, and patiently to ſuffer the puniſhment of Tranſgreſſors, verily believing, that God will cauſe all ſuch afflictions and calamities to work for the benefit and advantage of his People.

Jac. What's this but Paſſive Obedience you ſo much condemn'd in the beginning of this Diſcourſe?

Will. 'Tis ſo far from Obedience, that 'tis ſuffering for righteouſneſs ſake. And indeed 'tis the only ſuffering that has a Promiſe annexed to it in Sacred Scripture; for thoſe lively Oracles authorize us not to cut our own Throats in Obedience to the Supream Magiſtrate, if he enjoyn it, nor to ſit ſtill, whilſt others illegally act ſuch violence.

The Goſpel does not deſtroy the grand Principle of Nature, (*viz.*) *Self-preſervation*, but cheriſhes and encourages it.

But in reſpect of the Publick, if Wrongs be perſonal, or Injuries peculiar to particular Men, ſuch as portend not deſtruction, or grand detriment to the whole Body Politick; ſuch muſt be patiently ſubmitted to, rather than by reſiſting, diſturb the publick Peace or Tranquility of the Nation. As 'tis more ſafe and prudent to bear with a little uneaſineſs in a particular Member, conditionally it endanger not the other parts, than hazard the Health of the whole Body by churliſh Phyſick, to redreſs that Tollerable Inconvenience.

The Duties of Obedience the Goſpel enjoyns, is to lawful Authority, not to illegal or impoſed Juriſdiction; not an Arbitrary Power. It condemns not our defending our ſelves from apparent Ruine and Deſtruction; and permits us to diſpute our Rights with our Princes, without that infamous Character of Rebels.

Beſides, *Rom.* 13. was written on purpoſe to confute that fond Opinion of the *Jews* before mentioned, that they were ſo immediately in Covenant with God, that no Foreiner had Authority to oblige them to obedience.

This the Apoſtle condemns by a poſitive Command to the contrary, ſaying, *Let every ſoul be ſubject to the higher powers*; and withal, ſhews them the Reaſonableneſs of this Precept; becauſe *the powers that be* (whether *Pagan* or *Jewiſh*) *are ordained of God*; inferring, that they living under the Ordinance of God, are obliged to be ſubject unto it: Verſe the Second, he illuſtrates the heinouſneſs of the ſin of oppoſing Lawful Authority, in the Execution of Legal Commands; both from the Ordinance it ſelf and the puniſhment due to the Tranſgreſſion of it. And perſwades perſons in theſe Chriſtian Circumſtances, who were daily violating the Eſtabliſhed Laws of the Empire, patiently to ſuffer and quietly ſubmit to the Legal Execution of the Laws.

Becauſe oppoſition made by ſuch perſons, was reſiſting the Ordinance of God; the puniſhment of which is Damnation. He farther Illuſtrates, that this was the end why Rulers were Ordained; their Buſineſs and chief Occupation being to puniſh ſuch Violaters of the Laws as lived in an open Contempt and Tranſgreſſion of them.

And therefore plainly tells them, they muſt be ſubject (there's a neceſſity laid upon them) not only for fear, wrath, compulſion, or puniſhment; the alone Obligations that had power to keep the Jews in Subjection, but alſo for Conſcience ſake.

And for the ſame Reaſon enjoyns them to pay Tribute: *Render therefore to all their due, tribute to whom tribute is due, cuſtom to whom cuſtom, fear to whom fear, honour to whom honour.*

From hence 'tis clear and manifeſt, the Apoſtle did not command thoſe Chriſtians to ſubject themſelves to an unlimited or Arbitrary Power; but to render Obedience to the expreſs and publick Laws of the Empire, becauſe theſe Laws only could determine how much Tribute, Fear or Honour Superiors challenged, and Inferiors ought to pay.

The ſame Doctrine alſo St. *Peter* teaches, 1 *Epiſt.* 2. where obſerving the *Heathens* diſtinguiſhed not between the Jews converted to the Chriſtian Religion, and thoſe which retained the *Moſaic* Principles, who, for the above-mentioned Cauſe, became the moſt obſtinate, turbulent, factious and ſeditious People imaginable, upon all occaſions exerting their

utmoſt endeavours to raiſe Tumults, and embroil the State in Civil wars.

The Apoſtle, to dehort the Chriſtians from the Belief and Practice of that wicked Principle, earneſtly perſwades them not to follow the Example of that obſtinate and headſtrong People, but by their regular and meek Behaviour, quiet and candid Carriage, to approve themſelves to the *Heathen* Governours, by ſubmitting to the Ordinance of Man, for the Lord's ſake; That is, Render all due Allegiance, not only to *Jewiſh*, but *Heathen* Governours, even to *Claudius Druſus* (in whoſe Reign the Ancients affirm this Epiſtle to be written,) though the Emperour *Claudius* were elected to the Imperial Throne, by the *Pretorian* Band, in oppoſition to the Deſign both of City and Senate.

This very Doctrine alſo St. *Paul* commands *Titus* to teach his Flock, *Chap.* 3. *ver.* 1. And thoſe parallel places, thoſe moſt expreſs and poſitive Commands, *Coloſ.* 3. 18, 22. *Wives ſubmit your ſelves to your own Husbands: Servants in all things obey your maſters*; are only Tranſcripts of this Doctrine: For neither Wives nor Servants are obliged to obey, or ſtigmatiz'd as diſobedient, for refuſing to execute the illegal or wicked Commands of their Husbands and Maſters: Neither have the latter Power or Legal Authority to correct or puniſh ſuch Diſobedience.

Jac. If this be the Genuine Senſe, the Natural Signification of theſe places of Scripture, how came the Primitive Fathers to interpret them in another Senſe? And why doth St. *Paul* affirm, 2 *Cor.* 10. 4. *that the weapons of Chriſtians are not carnal?*

Will. This is the very Doctrine thoſe Fathers delivered, as is evident from the Epiſtles of St. *Polycarp*, and the Apologies of *Juſtin Martyr*, *Athenagoras* and *Tertullian*, to free the Chriſtian Religion from thoſe Aſperſions of Sedition and Rebellion the *Heathens* accuſed it of, and to juſtifie the Loyalty and Obedience of Chriſtians to the Powers and Magiſtrates under which they lived. Thus,

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Till the Converſion of *Conſtantine the Great* to the Chriſtian Faith, the Evangelical Doctrine was always in oppoſition to the Eſtabliſhed Laws of the Empire. And in all Caſes, when the Divine Precepts were inconſiſtent with the Laws Eſtabliſhed in the Empire, the Chriſtian Religion taught its Votaries quietly to ſubmit, and patiently to ſuffer the puniſhment due to the Tranſgreſſion of theſe Laws, without reſiſtance, or calumniating Language; to take up their Croſs and follow their Saviour. This the Primitive Fathers did not only frequently inculcate to their Auditors, but manifeſted their Doctrine (as is evident from their Works) very often by their own Sufferings.

But when the aforeſaid Emperour had ſetled the Chriſtian Religion, and added the Civil Sanction, (*viz.*) Eſtabliſhed its Precepts as the Laws Imperial, the Doctrine of the Goſpel (as to the ſuffering part) was much altered. In all former Mutations or Changes in the Government of the Empire, the Chriſtian Paſtors conſtantly exhorted their Flocks to obey the Supream Powers; not to calumniate, or ſpeak evil of Dignities, but patiently to ſubmit to the moſt barbarous Cruelties.

But when the Evangelical Doctrine and Diſcipline was Eſtabliſhed by Law, and *Conſtantius* the Emperour perſecuted the Orthodox Clergy, * St. *Hillary*, that Pious and Learned Father, roundly tells the Emperour of his impious and unchriſtian Actions. And when *Julian* Apoſtatized from the Faith, baniſhed the Goſpel, demoliſhed the Churches, and ſcoffingly told the Chriſtians, their *Doctrine was to ſuffer*; an Eminent Man of that Age writ a Tract † approved as Orthodox Doctrine by that Catholick and Renown'd Biſhop *Athanaſius*, which tartly inform'd the Emperour, That the Chriſtian Religion (when Eſtabliſhed by Law) allowed its Votaries to juſtifie their Rights, and was not to be trampled upon, ruined, and deſtroyed, to gratifie the Humour of an Ambitious and Idolatrous Prince.

* *Contra Conſtantum Auguſtum.*

† *De Regibus apoſtaticis.*

That of St. *Paul* has no Relation to our preſent Diſcourſe; the Weapons there mentioned, are no Shields or Bucklers againſt the Hoſtile Attempts of our Adverſaries,

but ſuch as the Church is inveſted with for the puniſhment of Criminal Members; ſuch as Excommunication, Cenſures, *&c.*

So that 'tis clear and evident thoſe places of Holy Writ that enjoyns Obedience to Superiors, however expreſs or emphatical in themſelves, have neither Relation or Aſpect to our preſent Circumſtances; they only enjoyn Obedience to all lawful Commands, and prohibit Reſiſtance under the greateſt puniſhment, when legally impoſed; which is ſo far from our late Tranſactions, at which you ſcruple, that they were only acted to preſerve our pure and Apoſtolick Religion, and ſecure our Fundamental Laws and Ancient Government.

And 'tis moſt palpably ridiculous and very injurious to the Goſpel, to wreſt places of Scripture, peculiarly adapted to the Suffering State of Chriſtianity; I mean whil'ſt 'twas under Pagan Princes, and without National Laws to ſupport it, to blacken and condemn the Actions of Chriſtians; whoſe Religion and Liberties are Entail'd to poſterity by Eſtabliſhed Lawes; and whoſe only Action (for which they are blamed) is for Reſcuing their Religion from Superſtition and Idolatry, and their Ancient Liberties from the Vaſſallage and Slavery of Arbitrary Power.

Jac. But 'tis obſervable, when God chaſtiz'd the wickedneſs of the Kings of *Iſrael*, he never did it by their own People, but by a ſtrange Nation; ſhewing by the Conduct of his Juſtice and Providence, that Subjects muſt not correct the Faults of their Kings, but leave that to God, to whom they are only Anſwerable for what they do.

Will. 'Tis true, that was the general Method God commonly uſed in that Nation, eſpecially with thoſe he had advanced to the Throne, by Vertue of an Extraordinary Commiſſion from himſelf. Yet the Hiſtories of that Kingdom yield us particular Examples of the contrary practice. Thus the Cruelty, Irreligion, and wicked Reign of *Jeboram*, cauſed *Libnah* to revolt from under his Government, 2 *Chron.* 21. 10. And the Reaſon of this Revolt was becauſe *Jeboram* had forſaken the Lord God of his Fathers.

And

And the *Maccabees*, (when *Antiochus Epiphanes*, their Lawful King, had ſilenced the *Jewiſh* Burnt-Offerings and Sacrifices, profaned their Sabbaths, and polluted their Sanctuary) by oppoſition and violence, in a moſt hoſtile manner, reſcued their Worſhip from *Heathen* Idolatry, and cleanſed their Sanctuary from ſuch *Pagan* Pollutions. And the renowned and thinking * *Grotius* allows the Neceſſity of things to conſecrate the Action. And the Learned and Ingenious *Thorndike* [in his *Right of the Church in a* † *Chriſtian State*] affirms, God approved of this War; And *Heb.* 11. commends their Faith for that Heroick and Vertuous Action.

* *Lib.* 1. *de jure Belli. cap.* 4.
† *Pag.* 306.

Jac. Were I convinced of all we have hitherto diſcourſed of, there is another Knot ſo intricate and perplexing, that I deſpair ever of ſatisfaction. The *Oath of Allegiance* is ſo expreſs and poſitive, ſo firm and binding an Obligation, that nothing can poſſibly be a firmer Tie to ſecure my Obedience to *James* the Second; (*viz.*) *Not to take up Arms againſt the King upon any pretence whatſoever:* And to give this Oath of Fidelity to another, is not only a Contradiction in it ſelf, but a down-right Violation of that former ſacred Obligation.

Will. The Objection, I confeſs, (before ſeriouſly conſidered) is a very plauſible plea, and of great importance; but when compared with the Rules of Right Reaſon, and the Commands of Scripture, the Difficulty doth immediately vaniſh. Yet I deny not but ſuch Oaths are of great advantage in a Publick Society: by *theſe* Princes are ſecured of their Subjects Allegiance, Generals of their Soldiers Fidelity; Subjects aſſertained their Princes will not degenerate into Tyrants; Leagues confirm'd between Nations, Peace conſerv'd among Men, Mutual Commerce and Trading ſecured, Liberties and Properties maintained, Controverſies and Suits decided.

And among thoſe the *Oath of Allegiance* challenges a prime place, being really and indeed a very ſacred Obligation; (*viz.*) a calling of † God to witneſs the Reality of our Intention, to keep inviolable that Faith and Obedience we have promiſed and ſworn to our Superiors, the breach of which is a moſt horrid Crime, a ſuperlative Perjury, very

† *Jurare nihil eſt aliud quam Deum teſtem invocare.* *Aſſumere Deum in teſtem dicitur jurare.*

very often ſeverely puniſhed in this World, and (without a ſincere and unfeigned Repentance) will inevitably ruin us in the next.

So that whatever we thus promiſe, we are as firmly obliged to perform, as the Wit of Man can contrive to bind us.

But notwithſtanding all this, the Oath of Allegiance, however ſolemnly adminiſtred, or however ſignificant or expreſs in it ſelf, adds nothing to the Duty of Obedience incumbent upon us as Subjects, without, and antecedent to the formal Adminiſtration of it; it may indeed corroborate and confirm the Obligation, by adding Perjury to our Diſobedience, but it cannot encreaſe or augment the Duty.

And the very End and Deſign of the Oath, atteſts the ſame; for though the Oath do particularly name the Supream Magiſtrate (becauſe he is Head of the whole Society), as if 'twere deſign'd only for his Protection and Safety; yet we may rationally infer, That the Parliament (being conven'd for the good of the Publick) who invented this Oath, took it themſelves, and impoſed it upon others, had in this Oath a more General and Notable Intention, of a more Excellent and Tranſcendent Nature; (*viz.*) to promote the Safety, Honour and Happineſs of the whole Society. This is evident from the Ridiculouſneſs and Injuſtice of that acceptation; for if the Oath of Allegiance be obligatory only in the former ſenſe; (*viz.*) have reſpect only to the Protection and Safety of the King's Perſon, without having any Relation to the Peace and Welfare of the Publick? By this Obligation our Repreſentatives in Parliament, put both themſelves and us into the hands of the Supream Power, to deſtroy us at his pleaſure; binding us by the moſt ſolemn Obligations imaginable, even the Sacred Ties of the *Oath of Allegiance*, quietly to ſubmit to the Invaſions of our Liberties and Properties, Confiſcation of our Goods, Sequeſtration of our Eſtates, Prophanation of our Holy and Apoſtolick Religion, by Superſtitious and Idolatrous Practices; and to all other barbarous Outrages that the Pride and Ambition of Man, or the Malice and Cruelty of Implacable Enemies, could

could invent; which is a *Solœciſm* of ſo grand a Conſequence, as we may well think impoſſible for ſo Learned, Judicious, and Auguſt a Senate to impoſe upon themſelves.

Eſpecially if we conſider, that the *Oath of Allegiance*, taken only in the former Intention, confounds and deſtroys all other Conſtitutions of Parliament; is oppoſite and deſtructive to the Fundamental Laws of Nature; (*viz.*) *Self-Preſervation*, and plainly repugnant to the Divine Rules and Precepts, which (to any Rational Man) methinks ſhould be a ſufficient Argument to engage him to underſtand it, in the Second, and more Excellent Senſe, ſince 'tis granted by all Men of Reaſon and Learning, That Oaths are only obligatory in the Senſe of thoſe Perſons who invent and impoſe them, if their Intention may clearly and rationally appear from the words, as expreſſed in the Oath.

Now the *Oath of Allegiance*, in different Circumſtances, being capable of a double Conſtruction, and both apparently agreeable to the Intention and Deſign of the Compoſers, I will a little illuſtrate the Reaſonableneſs of this twofold ſignification.

The Royal Authority being the Head of the Body Politick, the Life of the Law, and the Soul of Government, 'tis not only highly reaſonable, but abſolutely neceſſary for the Publick Advantage and Behoof, to fence and defend this Supream Magiſtrate againſt Forrein Enemies, and ſecure him from private Inſurrections at home.

And to the end that Rebellion might prove abortive in the very Conception, and that Cockatrice Egg be cruſhed ere it became a Serpent; the ſacred Tie of the *Oath of Allegiance* was judged the moſt effectual means to prevent all Civil Wars, repel all open Hoſtility, and ſecure the whole Society of the intire Affections of every particular Member.

And the King being the Perſon to whom was committed the weighty and important Affairs of the Nation, and in whoſe Management and Conduct, the Happineſs or Miſery of the Publick does very much conſiſt. This

Oath

Oath of Fidelity was perſonally made to the Supream Magiſtrate, as Head, though really deſigned for the Advancement and Promotion of the Peace, Happineſs and Safety of the whole Society.

And for the Truth of this Aſſertion, I appeal to the Capacity of the meaneſt Reader, whether he can ſuppoſe, the Great Council of the Nation, Aſſembled in Parliament, who compoſed this Oath of Fidelity, and enjoyn'd it to be given to the Prince; whether, I ſay, they deſign'd it only for the Preſervation and Safety of the King? Eſpecially when (by his own Option and Choice) he ſhould place his perſonal Intereſt and Safety in oppoſition to that of the Publick Weal?

From hence 'tis evident, That in all ordinary and common Circumſtances; that is, when the Intereſt of the Royal Authority, and the People, (which always ought to be) are in Conjunction, the Oath of Allegiance binds all Subjects, both with Life and Fortune, to aſſiſt and defend the Supream Magiſtrate againſt all Stratagems and Hoſtilities, whether publick or private. And the Reaſon of this is, becauſe the Prince is ſo nearly allied to the Publick, and ſo much a part of it, that the Safety and Happineſs of the latter is, in a very high meaſure, involved in the Proſperity and Welfare of the former.

But in great Exigencies, and Extraordinary Junctures of Affairs, in which the Ruine and Deſtruction of the Publick is inevitably involved (eſpecially if that National Calamities be favoured, advanced and promoted by that Perſon whoſe particular Safety is deſign'd in the Oath,) the promiſe of Fidelity in ſuch Circumſtances, bind only in the latter, and more general Intention; for Kings were made for the People, not the People for Kings. And it is plain Madneſs to imagine any Obligation can bind us to haſten the Accompliſhment, not only of our own, but the Publick Deſtruction; becauſe ſuch Actions are Diametrically oppoſite of all Laws, both Natural, and Civil, and Divine.

And

And that Extraordinary Contingencies are not to be regulated but by Extraordinary Methods, is plain and obvious from ſeveral Topicks. In Common and Ordinary Circumſtances, the Laws ſecure every man in his Liberty and Property: Thus the breaking a private man's Houſe, forcibly ſeizing a man's Goods, or violently reſtraining his Perſon, are Actions very unjuſt, and highly puniſhable.

But in Extraordinary Caſes, theſe are no Rules; but Neceſſity has her Laws: As in time of a Raging Famine, Propriety of Goods may be forced; Corn may by Violence be taken from private men, and ſold for the publick Relief; In a Noyſome Plague, and Infectious Peſtilence, for the Common Preſervation, Men may be reſtrained from Commerce, and confined to their Houſes: and in an apparent apprehenſion of an Invaſion from abroad, encouraged by a Party at home, Men may be ſeized, or impriſoned, or reſtrained to their Habitations.

Thus Divine Providence Conſtituted the General Law of Nature to regulate the Ordinary Courſe of things: but beſide theſe, Miracles have been often effected, which the aforeſaid Law could never regulate: and yet theſe ſupernatural and ſtupendious Works were always deſign'd for wholeſome and excellent Ends. Thus Nature her ſelf, for her own preſervation in *vacuums*, &c. cauſes Natural things to act contrary to their Natural Motions, forcibly attracting heavy Bodies upward, and as impetuouſly compelling the light to deſcend.

And the expreſs and poſitive Laws of the Decalogue, notwithſtanding the Solemnity of their Promulgation, together with the Evangelical Commands of the *New Teſtament* (though back'd with ſtupendious Miracles to atteſt their Divinity,) are null and void, when by extraordinary Circumſtances they are placed in oppoſition to the Works of Mercy, Charity or Neceſſity. Our Saviour, confirming this Doctrine, *Matth.* 12. 11. ſaith, *Which of you ſhall have one ſheep, and if it fall into a pit on the Sabbath day, will he not lay hold on it, and pluck it out?* Notwithſtanding the ſtrict Precept for the Sanctifi-

cation of that Day. And our ſtricteſt Caſuiſts (in caſe of Neceſſity) allow *Apothecaries* to Compound Medicines, *Mariners* to follow their daily Labours, and *Midwives* to do their Office upon the Lord's Day; and all this for the preſervation of particular Perſons.

So that the Natural Conſequence from hence, is, That if the preſervation of a few Individuals be more acceptable to God, than the ſtricteſt Litteral Obſervance of his Laws; and the Deliverance of the Publick from Ruine and Deſtruction, a Matter of ſuch grand Importance, ſuch abſolute Neceſſity, as can conſecrate the Violation of poſitive Laws, both Humane and Divine. Then our preſent Obligation, (*viz.*) the *Oath of Allegiance*, *Not to take up Arms againſt the King, upon any pretence whatſoever*, can be obligatory only in the Literal Senſe, when the Intereſt of the Supream Magiſtrate is in Conjunction with Publick Safety and Happineſs, and has no Relation to his particular Intreagues, or Perſonal Humours.

And if the Royal Authority (as in our late Circumſtances) be ſo deeply infatuated by the wicked Counſels of Impious and Self-ended Men, as to ſever his Peace, Proſperity and Quiet from that of the whole Nation, and illegally to proſecute that Advice ſo far, as to place his own Safety, Happineſs and Tranquility, in Oppoſition to the Safety, Welfare and Security of all his People; the *Oath of Allegiance* is then looſe, as to him, and obligatory only in the latter and more Excellent Senſe.

Jac. But all Oaths, when once taken, (if impoſed by a Lawful Authority, and Legal Oaths) do ſo far inveſt the Perſons ſworn to, with a Right to the thing ſworn, that the Perſon ſwearing has no Power of himſelf (without the other's Conſent) to retrieve that promiſe, unleſs by Violence and manifeſt Injuſtice. Now the *Oath of Allegiance* being a Lawful Oath, impoſed by a Competent Authority, my taking this Oath inveſted the King with a Right to my Fidelity and Obedience; That without the Approbation of his Royal Perſon, 'tis not only unjuſt, but even impoſſible

poſſible to diveſt him of it, and confer it upon another.

Will. Right! The former part of your Aſſertion is true, the *Oath of Allegiance* is a Lawful Oath, and impoſed by a ſufficient Authority; yet His Majeſty, before you took this Oath, was inveſted with as undoubted Right to your Obedience, and in as full and ample a manner, as if you had taken the Oath a Thouſand times. Neither indeed has the Supream Magiſtrate Power to abſolve you from this Obligation; And the Reaſon of this is manifeſt; for the Duty of Allegiance does ſo mightily conduce to promote the Advantage and Happineſs of the whole Society, that the Publick in General, (of which the Supream Magiſtrate is but a part) challenges ſo large a Concernment in it, that 'tis a manifeſt Wrong, an apparent Injuſtice, for a particular perſon (though never ſo great) to diſpence with the undoubted Birthright of every Subject.

So that ſhould the Oath be taken only in the firſt acceptation, as you ſeem plainly to underſtand it, (*viz.*) to have Relation only to the Safety and Preſervation of the King's Perſon, without an Eye to the Publick Welfare and Security, the Oath, in that Senſe, is not Obligatory, but, *ipſo facto*, void from the very impoſing.

And the Reaſon of this is plain and obvious, becauſe all Oaths, or Promiſſory Obligations, that are contrary to our Duty to our God, our Neighbour, or our ſelves; repugnant to Piety, Juſtice or Charity, are invalid, and bind not. *Rei illicitæ nulla obligatio*, is a Maxim ſo conſonant to the Doctrine of the Goſpel, that no Chriſtian (I ſuppoſe) has a face to deny it. And that the *Oath of Allegiance*, in your ſenſe, is *Res illicita*, is eaſily manifeſted from ſeveral Topicks.

Firſt, From its Oppoſition to Piety, and Deſtructiveneſs to Religion. His Majeſty to whom you have given this Oath of Fidelity, is by Profeſſion a *Roman Catholick*; and, *qua talis*, he is obliged, not only by the Principles of his Religion, but *ſub pœnâ*, of Excommunication, Depoſition, yea, Damnation, to extirpate the *Proteſtant Religion*,

to the utmoſt of his Power, and to propagate Superſtition and Idolatry in its room.

Now your Notion of the *Oath of Allegiance*, is both a Licenſe and Encouragement to ſuch a Supream Magiſtrate, actually to free himſelf from the Tyes of ſuch Powerful and Terrifying Obligations, by proſecuting the Buſineſs: For when his Perſon and Government is ſecured (under the penalty of Perjury, and puniſhment of Rebellion) againſt all Reſiſtance and Oppoſition from the Publick, what Block can hinder him from working out his Liberty, ſetting up his Superſtition, Idolatry, and approving himſelf to his Holy Father, by ſubverting our Laws, deſtroying our Religion, and by ſeverely puniſhing thoſe who obſtinately oppoſe his Arbitrary Proceedings?

Beſide, if the Oath of *Allegiance*, (viz.) *Not to take up Arms againſt the King, upon any pretence whatſoever*; but to aſſiſt his Majeſty with Life, Limb, and Terrene Honour, be to be underſtood particularly of the King's Perſon; by this Argument, if a King degenerate to a *Julian*, his Subjects are (by all ſacred Obligations) bound to aſſiſt him with their utmoſt Abilities, in demoliſhing the Temples and Houſes of God, exterminating their Religion, burning their Bibles, and baniſhing the Goſpel from his Territories, and by their endeavours to introduce *Paganiſm*, and eſtabliſh the Worſhip of *Infidels*.

Secondly, The *Oath of Allegiance* in this Senſe is not Obligatory, becauſe of its contrariety to Juſtice and Righteouſneſs: Politick Juſtice commands us to ſupport as well as obey all the wholeſom Laws of that Society we are Members of; and the Divine Precepts enjoyn us to protect the Innocent, relieve the Needy, and defend the Oppreſſed; which are Mandates very inconſiſtent with your Notion of the *Oath of Allegiance:* for according to your Interpretation of that Obligation, all Subjects are obliged to ſupport and defend the Supream Magiſtrate in all his Proceedings, as well when he oppreſſes the Loyal and Innocent, as when he puniſhes the Guilty and Criminal; as vigorouſly in his Encroachments upon the Liberties and Properties of the Subject (if he pleaſe to invade them) as in maintaining his own Juſt Rights and Prerogatives.

But *Thirdly*, Whatſoever Plea or Objection may be made againſt the two former, there is in the *Oath of Allegiance*, taken

ken in the aforeſaid ſenſe, ſuch an evident Repugnancy to that Eminent and Evangelical Duty, Charity, ſo frequently inculcated in ſacred Scripture, that that alone doth ſufficiently evidence the Invalidity of the Obligation.

The Duties of Mercy and Charity, are not only the Advice and Counſel of our Saviour, but his expreſs and poſitive Commands, (*viz*) That we ſhew Mercy as our Heavenly Father is merciful; that we deal by others as we would be dealt with in the like Circumſtances: Merciful not only to Mens Bodies, the periſhing part, but chiefly to their Souls, that are Immortal, and muſt live for ever; that we may (as much as in us lies) promote and ſet forward the ſalvation of all men; not to detract from, or add to the Word of God, nor to comply with thoſe that do it, but uncorruptedly to teach it to our ſons, *and our ſons ſons.*

Now the *Oath of Allegiance*, in the aforeſaid acceptation, can never be reconciled to this Doctrine; for that Obligation, (whenever the Supream Magiſtrate pleaſes) deſtroys Chriſtianity, confirms the *Hobbian* Principle, opens a door to Popery, Turciſm, Apoſtacy, Atheiſm, or what elſe that Magiſtrate ſhall pleaſe to introduce.

And whatever Objection may be produced againſt it from our ſins; (*viz.*) that they are as numerous and great as the Tranſgreſſions of *Sodom*, unparallel and provoking as the Wickedneſs of *Samaria*, that our obſtinate contempt, and voluntary abuſe of his Evangelical Mercies, cry aloud to Divine Juſtice, at leaſt, to obſcure and darken his Goſpel, if not totally to deprive us of it, yet theſe can never juſtifie our Proceedings to future Ages, or yield any pretence to a Plea, to free us from our Duty of Chriſtian Charity, to the Infants of our Time, and the Children yet unborn, which doubtleſs are not criminals upon this account, which notwithſtanding will (by this unparallel ſtupidity of ours, under the Mask or Vizard of Loyalty) be (as by a fatal and peremptory Decree) for ever deprived of the knowledge of the right worſhip of God, and inevitably involve them into ſuch a lamentable condition, as will certainly render them either in defiance of God their Creator, or in ignorance of a ſaving knowledge of their bleſſed Redeemer.

The

The Natural Conſequence from the whole is, That the *Oath of Allegiance* can only bind in the firſt ſenſe, when 'tis in order to effect the ſecond; that is, it only obliges us to protect and defend the Intereſt of the Supream Magiſtrate, when his Intereſt is ſubſervient to the welfare of the whole Society. But if bigotted Zeal, haughty Ambition, or wicked Counſellors, be ſo prevalent with the Prince, as to obliterate his Duty to the Publick, and upon private Picks and Humors, deſtroy the Laws, ſubvert Religion, neglect all the Methods of Government, and ſeparate his own Happineſs from the Safety and Welfare of the Publick; the Oath in the former ſenſe is void and inobligatory.

And the Reaſon of this Conſequence is very plain, becauſe men are under former Obligations to the contrary: For in the Baptiſmal Vow, (which is commonly the firſt men make,) they oblige themſelves by that Covenant made with God, to perform all Chriſtian Duties, which reſpect either God, their Neighbours or themſelves, and eſpecially to the Works of Piety, Juſtice and Charity. Now *After-Obligations* can never bind ſuch to oppoſite Duties; *Obligatio prior præjudicat poſteriori*; as in caſe of Marriage, 'A Pre-contract with one Party, void-'eth After-contracts with any other: And if a man convey 'Lands to ſeveral Perſons, by Deeds of ſeveral Dates, the 'firſt Conveyance ſtands in force, and all the reſt are void. Thus the *Oath of Allegiance* (though deſign'd and taken in your ſenſe) becomes void and inobligatory, becauſe it finds men formerly engaged to contrary Duties.

FINIS.

Books lately Printed for Richard Chiſwell.

Dr. *PATRIC* K's Sermon before the Prince of *Orange*, 20. *Jan* 1688.

——Sermon before the Queen at *Whitehall*, *March*. 1. 1688.

——Sermon at St. *Paul's Covent Garden*, on the firſt Sunday in *Lent*, being a Second part of a Sermon preached before the Prince of *Orange*.

A Letter written by the *Emperor* to the late *King James*, ſetting forth the True Occaſion of his Fall, and the Treachery and Cruelty of the *French*.

King *William* or King *Lewis*, wherein is ſet forth the inevitable neceſſity theſe Nations lie under, of ſubmitting wholly to One or Other of theſe Kings, and the matter in Controverſie is not now between K. *William* and K. *James*, but between K. *William* and K. *Lewis* of *France* for the Government of theſe Nations.

Books lately Publiſhed.

A Letter written by a Clergy man to his Neighbour, concerning the preſent Circumſtances of the Kingdom, and the Allegiance that is due to the King and Queen. 4°.

The Caſe of Allegiance in our preſent Circumſtances conſidered, in a Letter from a Miniſter in the City, to a Miniſter in the Country. 4°.

A Sermon preached at *Fulham*, in the Chappel of the Palace, upon *Eaſter-day*, 1689. at the Conſecration of the Right Reverend Father in God *Gilbert* Lord Biſhop of *Sarum*: By *Anthony Horneck* D. D. 4°.

The Judgments of God upon the *Roman Catholick Church*, from its firſt Rigid Laws for Univerſal Conformity to it, unto its laſt End. With a Proſpect of theſe near approaching Revolutions, *viz.* The Revival of the *Proteſtant* Profeſſion in an Eminent Kingdom, where it was totally ſuppreſſed. The laſt End of all *Turkiſh* Hoſtilities. The general Mortification of the Power of the *Roman Church* in all Parts of its Dominions. By *Drue Creſſner* D. D.

A Breviate of the State of *Scotland*, in its Government, Supreme Courts, Officers of State, Inferiour Officers, Offices and Inferiour Courts, Diſtricts, Juriſdictions, Burroughs Royal, and Free Corporations. *Fol.*

An Account of the Proceedings of the Convention of the Eſtates of *Scotland*, from their firſt ſitting down to this time; which will be continued Weekly.

An Account of the Reaſons which induced *Charles* II. King of *England*, to declare War againſt the States General of the United Provinces in 1672. and of the Private League which he entred into at the ſame time with the *French* King, to carry it on, and to eſtabliſh Popery in *England*, *Scotland*, and *Ireland*; as they are ſet down in the Hiſtory of the *Dutch* War, printed in *French* at *Paris*, with the privilege of the *French* King in 1682. Which Book He cauſed to be immediately ſuppreſſed at the Inſtance of the *Engliſh* Embaſſador. *Fol.*

A Diſcourſe concerning the Worſhip of Images, Preached before the Univerſity of *Oxford* the 24*th* of *May*, 1686. By *George Tallie* Sub-Dean of *York*. [For which he was ſuſpended.] 4°.

Some Conſiderations touching Succeſſion and Allegiance. 4°.

Reflections upon the late Great Revolution: Written by a Lay hand in the Country, for the ſatisfaction of ſome Neighbours. 4°.

The Hiſtory of the Deſertion; or an Account of all the Publick Affairs in *England*, from the beginning of *September* 1688. to the Twelfth of *February* following. With an Anſwer to a Piece called *The Deſertion diſcuſſed*, in a Letter to a Country Gentleman. By a Perſon of Quality. 4°.

Books lately Printed for *Richard Chiſwell*.

Scriptorum Eccleſiaſticorum Hiſtoria Literaria a Chriſto nato uſque ad Sæculum XIV. *Facili Methodo digeſta. Qua de Vita illorum ac Rebus geſtis, de Secta, Dogmatibus, Elogio, Stylo: de Scriptis genuinis, dubiis, ſuppoſititiis, ineditis, deperditis, Fragmentis; deque variis Operum Editionibus perſpicue agitur. Accedunt Scriptores Gentiles, Chriſtianæ Religionis Oppugnatores; & cujuſvis Sæculi Breviarium. Inſeruntur ſuis locis Veterum aliquot Opuſcula & Fragmenta, tum Græca, tum Latina hactenus inedita. Præmiſſa denique Prolegomena, quibus plurima ad Antiquitatis Eccleſiaſticæ ſtudium ſpectantia traduntur.* Opus Indicibus neceſſariis inſtructum. Autore *GULIELMO CAVE*, SS. *Theol. Profeſ. Canonico Windeſorienſi. Accedit ab Alia Manu Appendix ab ineunte Sæculo* XIV. *ad Annum uſque* MDXVII. *Fol.* 1689.

Dr *BURNET* [now Biſhop of *Salisbury*] his Life of Dr. *William Bedell*, Biſhop of *Kilmore* in *Ireland*; to which are annexed the Letters betwixt him and *Wadſworth*, about Religion.

—— Two Letters written upon the Diſcovery of the Popiſh Plot; together with a Collection of ſeveral other Tracts and Diſcourſes: Written by him betwixt the years 1678 and 1685. To which is added a Letter written to Dr. *Burnet*, giving an account of Cardinal *Pool*'s Secret Powers. The Hiſtory of the Powder-Treaſon, with a Vindication of the Proceedings thereupon. An Impartial Conſideration of the five Jeſuits dying Speeches, who were Executed for the Popiſh Plot, 1679.

—— A Vindication of the Ordinations of the Church of *England*: In which is demonſtrated, That all the Eſſentials of Ordination, according to the Practice of the Primitive and Greek Churches are ſtill retaind in the Church.

—— Reflections on the Relation of the Engliſh Reformation lately printed at *Oxford* In two Parts 4*to*.

—— Animadverſions on the Reflections upon Dr *BURNET*'s Travels. 8*vo*.

—— Reflections on a Paper, intituled, His Majeſty's Reaſons for withdrawing himſelf from *Rocheſter*.

—— Enquiry into the preſent State of Affairs, and in particular, Whether we owe Allegiance to the King in theſe Circumſtances? And, whether we are bound to Treat with him, and call him back, or no?

—— Sermon preached before the Prince of *Orange*, 23*d* Decemb. 1688.

—— Thankſgiving Sermon before the Houſe of Commons, 31. *Jan.* 1688.

—— Eighteen Papers relating to the Affairs of Church and State, during the Reign of King *James* II. Seventeen whereof were written in *Holland*, and firſt printed there; the other at *Exeter*, ſoon after the Prince of *Orange*'s Landing in *England*.

—— Letter to Mr. *Thevenot*; containing a Cenſure of Mr. *Le Grand*'s Hiſtory of King *Henry* the Eighths Divorce, To which is added, A Cenſure of Mr. *De Meaux*'s Hiſtory of the Variations of the Proteſtant Churches. Together with ſome Reflections on Mr. *Le Grand*. 1689.

Dr.

AGREEMENT

Betwixt the

Preſent and the *Former* Government:

Or, a DISCOURSE of *This Monarchy*, whether *Elective* or *Hereditary*?

Alſo, of *Abdication*, *Vacancy*, *Interregnum*, *Preſent Poſſeſſion of the Crown*, and the *Reputation of* the *Church of England*.

With an *Anſwer* to *Objections*, thence ariſing, againſt taking the *new Oath* of *Allegiance*.

For the Satisfaction of the *Scrupulous*.

By a Divine of the *Church of England*, the Author of a little Tract, entituled, *Obedience due to the Preſent King, notwithſtanding our Oaths to the Former*.

LICENS'D,

Sept. 24. 1689. *J. Fraſer.*

LONDON,

Printed for *Awnſham Churchill* at the Black Swan in *Avemary-Lane*, near *Pater-noſter-Row*, 1689.